

ARIZONA STATE BOARD OF DISPENSING OPTICIANS

TELECONFERENCE BOARD MEETING MINUTES

April 2, 2008

The Arizona State Board of Dispensing Opticians and held its regular meeting at 1400 W. Washington, Conference Room 230, Phoenix, Arizona 85007. The Board meeting commenced at 10:00 a.m.

BOARD MEMBERS PRESENT: L. Dunn, Chairman, Licensed Optician
S. Decker, Vice-Chairman, Licensed Optician
B. Chandler, Secretary, Licensed Optician
B. Bergier, Member, Licensed Optician
E. Evans, Member, Licensed Optician
P. Moore, Public Member

BOARD MEMBERS ABSENT: Terri Smith, Public Member

OTHERS PRESENT: L. Scott, Executive Director
D. Walton-Lee, Assistant Attorney General
Elaine Arena, Luxottica Retail
Angie Muldoon, Wal-Mart

Call to Order and Roll Call

L. Dunn, Chairman, called the meeting to order at 10:00 a.m. and roll call was taken.

I. Approval of Minutes

The Minutes of the regular Board meeting held on March 5, 2008 were approved as written.

II. Review Investigations (Discussion and Disposition)

07-016 Wal-Mart – The Board received a revised Consent Agreement changing the Conclusions of Law from a violation of Statute to a violation of Administrative Rule. B. Bergier moved to accept the Consent Agreement as written. P. Moore seconded the motion and it carried.

07-014 Wenzl – The Board reviewed Ms. Wenzl's counter offer to the Consent Agreement. B. Bergier moved to accept the offer to make monthly payments on the Civil Penalty however the Civil Penalty will remain at \$1,000. B. Chandler seconded the motion.

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II. Review Investigations (Discussion and Disposition con't)

The Board discussed the payment of the Civil Penalty and results of not paying on time. B. Bergier amended his motion to include that the Civil Penalty be paid at \$100.00 a month, or whatever Ms. Wenzl can afford, and to be paid in full within 10 months. B. Chandler amended his second and the motion carried.

III. Miscellaneous Matters

A. Director's Report –.

1. Performance Measure Report – Ms. Scott informed the Board that this report would be due annually. This is the first report on the required by DOA.

IV. License Applications

S. Decker moved that the Establishment License Applications for EyeMasters #50 and #51 be approved. B. Chandler seconded the motion and it carried.

V. Possible Violations

Ms. Scott informed the Board about Fashion.com selling cosmetic contact lenses. They have been delivered a letter notifying them of the violation and the Board office is awaiting their response. Ms. Scott also informed the Board about Clothing Co. selling contacts and that a second visit to the store found no contacts being displayed. They have also not responded as yet to the notification they received.

VI. Establishment Licensing

Ms. Scott informed the Board that a response to the establishments is being drafted and will be available at the next Board meeting.

VII. Future Meeting Dates

- A. May 7, 2008 – regular meeting
- B. June 4, 2008 – TBD

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VIII. Future Agenda Items

- A. Establishment Licensing
- B. Review of Complaints
- C. Stores selling contacts

IX. Call to the Public

No one spoke up.

The meeting adjourned at 10:20 a.m. The next Board meeting will be on May 7, 2008 at 1:00 p.m.

Submitted by:

Lori D. Scott

Executive Director

Approved:

L. Scott

Date:

May 7, 2008